

REMARKS

The above amendments and these remarks are responsive to the Office action dated March 29, 2004. Claims 1-21 are pending in the application. In the Office action, the Examiner objected to the drawings, rejected claims 9-11 and 14 under 35 USC § 112, rejected claims 9-11 under 35 USC § 102(b) as being anticipated by Farrow et al., and rejected claims 4, 5, 12-15 and 18 under 35 USC § 102(b) as being anticipated by Dean. In view of the amendments above, and the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Objections to the Drawings

The Examiner objected to the drawings under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims. In particular, the Examiner stated that second, third, and fourth supports must be shown in the drawings or the features canceled from the claims. In response, applicant has amended the specification to clarify the features characterized as first, second, third and fourth supports in the claims, all of which are already shown in the drawings.

In particular, applicant has amended the specification so that "outer face 38" is now also referred to as "outer support 38," so that "inner support portion 50" is now referred to as "inner support 50," so that "load rib 56" is now also referred to as "first internal support 56," and so that "spring rib 58" is now also referred to as "second internal support 58." Therefore, features 38, 50, 56 and 58 shown in Fig. 4 represent the first, second, third and fourth supports specified in the claims. Features 38, 50, 56, and 58 were all shown and described as support structures in the original application.

Rejections under 35 USC § 112

Claims 9-11 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, specifically the aforementioned first, second, third and fourth supports. In light of the amendments above, applicant believes that these claims now refer to subject matter that has been clearly delineated in the specification and the drawings. The "first support" of claim 9 refers to "inner support 50" of the specification and drawings. The "second support" of claim 9 refers to "outer support 38" of the specification and drawings. The "third support" of claim 10 refers to "first internal support 56" of the specification and drawings. The "fourth support" of claim 11 refers to "second internal support 58" of the specification and drawings.

Claim 14 was rejected as unclear as to whether the recited "spring rib" is the same spring rib of claim 12 or an additional spring rib. In response, applicant has amended claim 14 to make it clear that the spring rib referred to therein is the same as in claim 12, with the added limitation that the spring rib "resiliently supports an upper flexible portion of the contact expanse."

Rejections under 35 USC § 102

Claims 9-11 were rejected under 35 USC § 102(b) as being anticipated by Farrow et al., U.S. Patent No. 5,738,258. Applicant believes that claims 9-11 are patentable over Farrow et al. in their original form, but has amended independent claim 9 to clarify distinctions between the teachings of Farrow and the present invention, and to facilitate allowance of the pending claims. Specifically, applicant has amended claim 9 by replacing the limitation of "an adaptable elongate expanse" with "a conformable

elongate expanse.” Farrow does not teach or suggest a conformable expanse, but rather teaches a pre-molded expanse configured to accommodate various sports equipment items without actively conforming or adapting specifically to the shape of each item. Farrow’s teaching of a substantially rigid expanse is further indicated by the choice of “high density polyethylene” as a preferred material (‘258, col. 3, line 17).

Claims 4, 5, 12-15, and 18 were rejected under 35 USC § 102(e) as being anticipated by Dean (U.S. Patent No. 6,164,507). Applicant believes that these claims are patentable over Dean in their original form, but has amended independent claims 4 and 12 to clarify distinctions between the teachings of Dean and the present invention, and to facilitate allowance of the pending claims. Claims 4 and 12 have been amended to include the limitation that the spring rib be arcuate. As indicated in Fig. 4 of the present application, spring rib 58 connects two non-parallel surfaces and therefore is curved so as to contact each surface substantially orthogonally. On the other hand, the structures taught by Dean and characterized by the Examiner as spring ribs connect parallel surfaces and are not arcuate. Thus, Dean does not teach or suggest an arcuate spring rib, and applicant believes that claims 4, 5, and 12-14 are allowable.

With respect to pending claims 15 and 18 (which depends from 15), applicant submits that Dean does not teach or suggest an expanse wherein “the upper portion of the expanse is substantially more flexible than the lower portion” as in applicant’s claim 15. Dean teaches a pressure pad 64, apparently unitarily constructed from a relatively pliable rubber material (‘507, col. 4, lines 60-61). Pad 64 is described as “sufficiently flexible so that it substantially conforms to the shape of the hull” (col. 4, lines 63-65), but is not constructed so that one portion of the pad is substantially more flexible than

another. The relatively uniform flexibility of pad 64 can also be seen in Fig. 4 of the Dean patent, which shows that the pad is constructed with a substantially symmetric arrangement of the grooved structures characterized by the Examiner as spring ribs and load ribs.

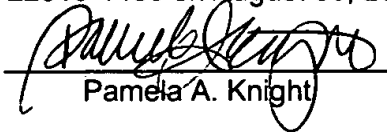
New Claims

New claims 22 and 23 have been added to further clarify aspects of the present invention. Since these claims depend from claim 1, which the Examiner indicated is allowable in its present form, claims 22 and 23 are also believed to be allowable.

Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.


CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on August 30, 2004.


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Respectfully submitted,

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